

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

OMAHA CONSTRUCTION INDUSTRY PENSION FUND; BOARD OF TRUSTEES OF THE OMAHA CONSTRUCTION INDUSTRY PENSION FUND; OMAHA CONSTRUCTION INDUSTRY HEALTH AND WELFARE FUND; BOARD OF TRUSTEES OF THE OMAHA CONSTRUCTION INDUSTRY HEALTH AND WELFARE FUND,

CASE NO. 8:05cv186

## ORDER FOR DISMISSAL

Plaintiffs,

VS.

DOUBLE D EXCAVATING, INC., a  
Nebraska Corporation,

Defendant.

THIS MATTER came before the Court on Plaintiffs' voluntary Motion for Dismissal wherein Plaintiffs' counsel advised judgment in this matter has been satisfied and all other outstanding allegations of indebtedness on the part of the Defendant have been satisfied and that no further controversy exists between the parties. Plaintiffs represent to the Court that the judgment along with costs have been satisfied by the Defendant. The Court being fully advised in the premises finds that such motion should be granted.

IT IS THEREFORE ORDERED that Plaintiffs' complaint in the above-captioned matter is hereby dismissed with prejudice.

Dated this 10<sup>th</sup> day of April, 2006.

BY THE COURT

s/Joseph F. Bataillon  
HON. JOSEPH F. BATAILLON  
United States District Court

Prepared and submitted by:

John E. Corrigan, #21242  
DOWD HOWARD & CORRIGAN, L.L.C.  
1411 Harney Street, Suite 100  
Omaha, NE 68102  
(402) 341-1020  
ATTORNEY FOR PLAINTIFFS